

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE: PHARMACEUTICAL INDUSTRY)	
AVERAGE WHOLESale PRICE)	MDL No.1456
LITIGATION)	
_____)	Civil Action No. 01-12257-PBS
THIS DOCUMENT RELATES TO:)	
)	Subcategory Docket: 06-CV-11337-PBS
)	
<i>United States of America, ex rel.</i>)	
<i>Ven-A-Care of the Florida Keys, Inc. v.</i>)	Hon. Patti B. Saris
<i>Dey, Inc., et al.,</i> Civil Action No.)	
05-11084-PBS)	

**UNITED STATES' MOTION TO EXCLUDE
CERTAIN TESTIMONY OF DR. LAUREN STIROH**

The United States of America, through its undersigned counsel, hereby moves to exclude certain expert testimony of Dr. Lauren Stiroh, an expert witness of the defendants Dey, Inc., Dey, L.P., and Dey, L.P., Inc. The specific testimony sought to be excluded and the grounds for this motion are set forth in the accompanying memorandum of law.

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Respectfully submitted,

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CERTIFICATION

The undersigned certifies that counsel for the United States and for Dey have conferred pursuant to LR 7.1(A)(2), in a good faith attempt to resolve or narrow the issues addressed in this motion.

/s/ James J. Fauci
James J. Fauci
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

I hereby certify that I have this day caused an electronic copy of the above document to be served on all counsel of record via electronic service pursuant to Paragraph 11 of Case Management Order No. 2 by sending a copy to LexisNexis File & Serve for posting and notification to all parties.

Dated: June 7, 2010

/s/ James J. Fauci
James J. Fauci
Assistant U.S. Attorney